REMARKS

Receipt of the Office Action of June 14, 2007 is gratefully acknowledged.

Claims 20 - 38 have been examined with the following result: claims 22 - 28, 32, 33, 34, 36 and 37 are rejected under 35 USC 112, second paragraph for the reasons outlined on pages 2 and 3 of the Office Action; claims 20 - 29, 31, 34 and 38 are rejected under 35 USC 103(a) over Johnston et al in view of Gillispie; claim 30 is rejected under 35 USC 103(a) over Johnston and Gillisoie in view of Busc et al; and claim 32 is rejected under 35 USC 103(a) over Johnston and Gillispe in view of Melling.

In addition, claims 33 and 35 - 37 are indicated as containing allowable subject matter.

In reply to the rejection under 35 USC 112, second paragraph, claims 20 - 26, 28, 32 - 34, 36 and 37 have been amended basically as suggested by the examiner to thereby overcome the rejection under 35 USC 112. In this regard, applicant wishes to thank the examiner for his claim amendment recommendations.

Regarding the allowable subject matter in claims 33 and 35 - 37, applicant wishes to thank the examiner. However, on reviewing the references of record it seems clear that these references do not teach, at a minimum, the feature whereby the relationship between the linear variable filter and the detector element (claim 20) and the radiation and the linear variable filter (claim 21) is more clearly defined.

The Johnston et al patent, for example, is the main reference applied in all the art rejections. However, it is rather far removed from the invention of independent claims 20 and 21. Johnston et al discloses a surface plasmon resonance (SPR) light pipe sensing probe and related interface optics. In column 2, starting with line 17, there is disclosed that the SPR probe has a planar light pipe sensing element made from an

inexpensive material. The element comprises an optically folded light pipe in which the SPR sensing area and the input and output optics of the sensor can be readily separated. The sensing area is arranged on an external planar surface of the light pipe. The probe simultaneously measures on several independent channels, making it, perhaps, the first SPR probe capable of both multiplexing and first order sensing. From this description, it is hard to see a connection between this special prior art solution and the solution disclosed and claimed in the present application.

Gillispie et al discloses an apparatus that provides rapid and sensitive quantitative analysis of a sample with fluorescent light. Actually, however, there is a large gap between the present invention which does not work on the basis of fluorescence but relates to a device for IR-spectrometric analysis. Quite a different thing. Gillespie et al comprises a repetitive light source that is directed to the sample to generate pulsed fluorescence in the sample. He fluorescence light is filtered in a specified wavelength range and the filtered fluorescence light is received by a photodetector. The differences are clear to see when the two are compared. It is not seen how a person skilled in the art when consider combining Johnston et al and Gillespie et al . Consider that the box containing the measuring equipment must have double the length of the linear filter. In addition, the prior art is missing a teaching of guidance of the radiation be the waveguide.

As now amended, claims 20 - 38 are believed to be in condition for allowance. Allowance of this application with the amended claims is respectfully requested.

Respectfully submitted,
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